

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2009-053487

10/07/2010

HONORABLE MICHAEL R. MCVEY

CLERK OF THE COURT  
R. Tomlinson  
Deputy

JAYMI GOLDBERG, et al.

JAYMI GOLDBERG  
1497 MAIN STREET #276  
DUNEDIN FL 34698

v.

ROBERT JUNG, et al.

ROBERT JUNG  
21001 N TATUM # 1630-725  
PHOENIX AZ 85050

MICHELE GOLDBERG  
1497 MAIN STREET #276  
DUNEDIN FL 36968  
KOREANA MOULIN  
23117 N 39TH PL  
PHOENIX AZ 85050  
COMM. PORTER

MINUTE ENTRY

This Court has reviewed a pleading titled "Notice" electronically filed by Defendant Robert Jung on October 3, 2010.

That "Notice" attempts to explain his failure to comply with three previous Orders issued by this Court.

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On August 12, 2010, this Court set a Status Conference for August 26, 2010, in order to set a trial date. That Order directed Defendant Jung to personally appear. A copy of the Order was mailed to the last address he provided.<sup>1</sup> He did not appear.

On August 26, 2010, the Court ordered Defendant Jung to file a written explanation for his failure to appear at the Status Conference set that date, and warned Defendant Jung that failure to comply would result in a sanction of striking his Answer and the entry of a default against him. This minute entry was mailed to the last known address provided by Defendant Jung to this Court.

On September 7, 2010, the day his written explanation was due, Defendant Jung filed a Notice of Change of Address. The Court entered a new Order dated September 13, 2010, extending the deadline for Defendant to explain his failure to appear to September 23, 2010. The Order again warned Defendant that his failure to explain his absence on August 26, 2010, could result in entry of a default against him. That Order was mailed to the corrected address on September 16, 2010.

Mr. Jung did not respond to the Court's Order of September 13, 2010.

Defendant Jung's latest "Notice" alleges that he did not receive the September 13, 2010, Order until October 1, 2010. The Court does not find this claim to be credible. More importantly he has failed to explain his failure to keep the Court timely apprised of his changes of address, or to appear at the August 26, 2010, Status Conference.

**IT IS ORDERED** striking the Answer filed by Defendant Jung and entering a default against him.

**IT IS FURTHER ORDERED** forwarding this matter to Commissioner Gerald Porter in order that Commissioner Porter may schedule a default hearing at his earliest convenience.

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<sup>1</sup> Jung is a law school graduate. According to the State Bar's public website, his Arizona license is currently suspended. As a trained lawyer, he is (or should be) aware of his obligation to keep the Court immediately advised of any changes of address.

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